

REMARKS

The Examiner has noted that drawing corrections were needed in this application, but there was no PTO-948 or mention of the corrections needed. Upon a phone call to the Examiner on May 1, 2007, he indicated that the drawings were in need of translation, as the captions were in German. Upon a review of the file, it was noted that a verified English translation of the application and the figures was submitted to the USPTO on April 18, 2005. For the Examiner's convenience, however, the translated figures are attached hereto.

Claims 1-8 and 10 have been rejected under 35 USC 102(e) as anticipated by Georges. The rejection is respectfully traversed in part and overcome in part.

Claim 6 has been amended to incorporate the features from claims 8 and 9, thus making claim 6 allowable as indicated by the Examiner.

Claim 1 has been amended to incorporate the features of claim 3, and is allowable for the following reasons.

Georges teaches a method for localizing a cellular phone by distinguishing or tracking two different frequencies. Having recognized which frequency was received, one can deduce whether the cell phone is inside or outside a building, as only one frequency can be transmitted through a wall. According to amended claim 1, a method for localizing a cell phone with a communication signal at the first frequency and a location interrogation signal at the second frequency is claimed. In the case of claim 1, both of these signals (the communications signal and the location interrogation signal) are both always sent, but only the communication signal at the first frequency is transmitted and permeable through walls. Thus, the determination of whether the cell phone is inside or outside a wall is based on the interrogation signal which is not transmittable through walls.

Thus, in contrast to that which is taught by Georges, the claimed method has a signal at one frequency which is always sent and received and another signal at another frequency which is

received depending on whether the cell phone is inside or outside a wall. Georges uses two frequencies and analyzes the received frequency to determine whether it was able to be transmitted through a wall, and based on this information, Georges determines whether the cell phone is inside or outside the wall. In other words, according to the claimed invention, the position of the cell phone is determined by analyzing whether a signal was received and, according to Georges, two signals are analyzed to distinguish two frequencies and the position of the cell phone is deduced therefrom. Accordingly, Georges fails to teach or suggest the features of amended claim 1.

The remaining claims are allowable at least due to their respective dependencies. Applicants request that this rejection be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 449122005400.

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Respectfully submitted,

By 

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